

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH FIUMANO, for	:	
himself and all others similarly	:	
situated,	:	
Plaintiff,	:	CIVIL ACTION
	:	No. 17-465
v.	:	
	:	
METRO DINER MANAGEMENT,	:	
LLC, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this 7th day of July, 2022, it is **ORDERED** that:

- Plaintiffs’ Motion to Strike Exhibits 1-3 from Defendants’ Summary Judgment Motion (ECF No. 189) is **DENIED**.

- Plaintiffs’ Second Motion to Strike (ECF No. 199) the declarations of the thirty-five Metro Diner Managers and Servers is **DENIED**.

- To cure the prejudice Plaintiffs would suffer from Defendants’ failure to supplement their Rule 26 disclosures regarding the thirty-five Metro Diner Managers and Servers, discovery is reopened solely related to the thirty-five Metro Diner Managers and Servers. A conference will be scheduled to discuss the length of the discovery period.

s/ANITA B. BRODY, J.

ANITA B. BRODY, J.

Copies **VIA ECF**